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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,727	02/20/2004	Takao Yamamoto	0505-1273P	3598
2292	7590	03/10/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			CARTER, WILLIAM JOSEPH	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 03/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/781,727	Applicant(s) YAMAMOTO, TAKAO	
	Examiner William J. Carter	Art Unit 2875	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 January 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/17/06</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 4, 7-10, 13-16, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Friday (5,856,779).

With respect to claim 1, Friday teaches a lamp apparatus (10) for a vehicle comprising: a body frame (column 4, lines 10-15) having a lamp unit (14) including a supporting member (13); the lamp unit having a light emitting diode (12) as a light source in a lamp body (14); and voltage adjustment means (25) for adjusting a voltage to be applied to the light emitting diode; wherein the voltage adjustment means is provided separately outside the lamp body (18 in Fig. 3), and wherein the voltage adjustment means (25) is attached (via 21) to the supporting member (13) on which the lamp unit is supported (Fig. 3).

As for claim 3, Friday teaches the lamp apparatus (10) further includes a lamp relay apparatus (27).

As for claim 4, Friday teaches a relay (27) operatively connected to the voltage adjustment mean (25) for selectively turning the lamp unit (14) on and off (column 4, lines 50-55).

As for claim 7, Friday teaches a blinker apparatus (10) for a vehicle comprising: a blinker (14) having a light emitting diode (12) as a light source in a lamp body (15); and a voltage adjustment means (25) to be applied to the light emitting diode; wherein the voltage adjustment means is integrally (Fig. 4) provided in a blinker relay (18) separately from the lamp body (Fig. 3).

As for claim 8, Friday teaches, the voltage adjustment means (25) is a resistor.

As for claim 9, Friday teaches, a lamp relay apparatus (18), the boltage adjustment means (25) being positioned within the lamp relay apparatus (Fig. 4) and being provided separately relative the lamp body (15) (Fig. 3).

As for claim 10, Friday teaches a relay (27) operatively connected (Fig. 4) to said voltage adjustment means (25) for selectively turning the light emitting diode (12) on and off (column 4, lines 50-55).

As for claim 13, Friday teaches a lamp body (15) formed from a member having a high heat transfer property (column 4, lines 13-15); wherein the light emitting diode is attached to part of the lamp body case (Fig. 1).

As for claim 14, Friday teaches a voltage adjustment means (25') for adjusting a voltage to be applied (Fig. 4) to the light emitting diode (12); and a heat radiating member (15), the voltage adjustment means being attached to the heat radiating member (column 6, lines 20-26 and Fig. 1) and the light emitting diode being attached to the heat radiating member in a spaced relationship from the voltage adjustment means (column 6, lines 20-26 and Fig. 1).

As for claim 15, Friday teaches the voltage adjustment means (25') is positioned on a bottom wall (13) disposed directly adjacent (column 6, lines 20-26) to the light emitting diodes (12).

As for claim 16, Friday teaches the bottom wall (13) has a greater thickness (Figs. 1 and 2) relative to a circumferential wall (15) of the lamp apparatus (10).

As for claim 19, Friday teaches a resistance circuit (25') attached to an inner side of a cover (13) mounted (column 6, lines 20-26) in a rear opening of the lamp apparatus (10) (Fig. 3).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Friday in view of Meggs et al. (4,597,033).

As for claim 5 and 11, Friday teaches all of the claimed elements as disclosed above, as well as, an oscillation circuit (18) and a relay coil (27a). Friday does not explicitly teach an armature for operating in response to a magnetic force from the relay coil. By definition (<http://electronics.howstuffworks.com/relay1.htm>) the relay (48 and circuit shown in Fig. 8) of Meggs includes a relay coil and a magnetic force (electromagnet) and an armature for operating in response to a magnetic force from the

Art Unit: 2875

relay coil. It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the relay of Meggs to receive the output from the oscillation circuit of Friday in order to selectively activate the LED lighting when the vehicle loses power (column 6, lines 21-23).

Claims 6 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Friday.

With respect to claims 6 and 12, Friday teaches a relay (27) operatively connected to the voltage adjustment means (25) for selectively turning the lamp unit (14) on and off (column 4, lines 50-55). Friday does not explicitly teach the voltage adjustment means (25) is disposed in a separate housing relative to the relay, but Friday does teach another voltage adjustment means (25') disposed in a separate housing (column 6, line 20-21) relative the housing (18) of the relay (27). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use resistor 25' instead of resistor 25 as the voltage adjustment means of Friday, in order to supply electrical current of the proper voltage to the lamp unit (column 6, lines 20-26).

Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Friday in view of Serizawa (6,715,909).

As for claims 17 and 18, Friday teaches all of the claimed elements as disclosed above, except for an electric circuit being spaced apart with a partition wall between the resistance circuit that is positioned on a circumferential wall of the lamp apparatus. Serizawa, drawn to LED lighting in vehicles, teaches a resistance circuit (20) positioned on a circumferential wall (2) of the lamp apparatus (1) being spaced apart from an

Art Unit: 2875

electric circuit ("electric power supply" from Abstract) by a partition wall (21). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the circuitry arrangement of Serizawa in the lamp apparatus of Friday, in order to make the electrically connecting portions of the lamp waterproof (column 4, lines 25-30).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Carter whose telephone number is (571)272-0959. The examiner can normally be reached on Monday through Friday.

Art Unit: 2875

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Renee S. Luebke can be reached on (571)272-2009. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

wjc  
03/03/06



RENEE LUEBKE  
PRIMARY EXAMINER